

REGULAR MEETING OF THE BOARD OF COMMISSIONERS
CITY OF FRANKFORT, KENTUCKY

NOVEMBER 15, 2004
5:00 P.M. (EST)

PRESENT: Mayor Pro Tem Commissioner Lynn Bowers
Commissioner Andrew S. Layson
Commissioner Robert Roach
Commissioner Chuck Fletcher (4)
ABSENT: Mayor William I. May, Jr. (1)

Invocation was given by Rev. Ron Robinson, Wesleyan Church.

It was moved by Commissioner Fletcher, seconded by Commissioner Layson, that the reading of the minutes of October 18, 2004 Regular Meeting, November 1, 2004 Work Session and November 3, 2004 Special Meeting be dispensed with and approved. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Layson, Roach, Fletcher and Mayor pro tem Bowers (4). Voting against the motion were none (0). The motion was thereupon adopted.

There was no Mayor's Report:

Mayor pro tem Bowers recognized Tim Smith from Life Net Air Medical Services. He presented information about Life Net helicopter services based at Frankfort Regional Medical Center.

"AN ORDINANCE ACCEPTING BRIGHTON COURT AS A PUBLIC STREET" was presented and read. This ordinance had its first reading October 18, 2004. It was moved by Commissioner Fletcher, seconded by Commissioner Roach, that this ordinance be put upon its final adoption. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Layson, Roach, Fletcher and Mayor pro tem Bowers (4). Voting against the motion were none (0). The motion was thereupon adopted. (Ordinance No. 21, 2004 Series)

"AN ORDINANCE ACCEPTING TURNBERRY DRIVE AS A PUBLIC STREET" was presented and read. This ordinance had its first reading October 18, 2004. It was moved by Commissioner Layson, seconded by Commissioner Roach, that this ordinance be put upon its final adoption. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Layson, Roach, Fletcher and Mayor pro tem Bowers (4). Voting against the motion were none (0). The motion was thereupon adopted. (Ordinance No. 22, 2004 Series)

"AN ORDINANCE AMENDING ORDINANCE NO. 11, 2004 SERIES, APPROPRIATING THE REVENUE TO BE RECEIVED BY THE CITY OF FRANKFORT FOR FISCAL YEAR 2004-2005" was presented and read.

"AN ORDINANCE REZONING PROPERTY LOCATED AT 519 ANN STREET FROM 'RH' (HIGH DENSITY MULTI-FAMILY DISTRICT) TO 'SH' (SPECIAL HISTORIC)" was presented and read.

"AN ORDINANCE REZONING PROPERTY LOCATED AT 107 SEA HERO ROAD FROM 'PC' (PLANNED COMMERCIAL) TO 'RS' (SPECIAL RESIDENTIAL) was presented and read.

"AN ORDER UPDATING THE CITY'S AFFIRMATIVE ACTION PLAN " was presented and read in its entirety. It was moved by Commissioner Roach, seconded by Commissioner Fletcher, that this order be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Layson, Roach, and Fletcher and Mayor pro tem Bowers (4). Voting against the motion were none (0). The motion was thereupon adopted. (Order No. 27, 2004 Series)

"RESOLUTION AUTHORIZING APPROVAL OF APPLICATION FOR DESIGNATION AS A PRESERVE AMERICA COMMUNITY" was presented. It was moved by Commissioner Layson, seconded by Commissioner Fletcher, that this resolution be adopted. The question was put upon the motion and the roll called. Those

voting in favor of the motion were Commissioners Layson, Roach, and Fletcher and Mayor pro tem Bowers (4). Voting against the motion were none (0). The motion was thereupon adopted. (Resolution No. 9, 2004 Series)

Consent

The following miscellaneous and personnel items were presented:

- 6.1 Authorization to award contract to Leak Eliminators, LLC for pipe-bursting a 300-foot segment of 6-inch vitrified clay pipe and replace with an 8-inch High Density Polyethylene Pipe (Sewer).
- 6.2 Authorization to extend the contract with FMSM Engineers for Engineering Services associated with the design of the Ewing Street Force Main crossing of Benson Creek (Sewer).
- 6.3 Authorization to solicit qualifications from engineering firms for the design of the ozone generating system at the Wastewater Treatment Plant (Sewer).
- 6.4 Authorization to declare a 1974 Ford Mini Pumper as surplus for disposal (Parks and Recreation).
- 6.5 Authorization to enter into a contact with Integra Realty Resources for appraisal services (Finance).

6.7 Personnel:

<u>Personnel Action</u>	<u>Employee</u>	<u>Department</u>	<u>Effective Date</u>	<u>Other</u>
Appointment/Transfer	Darrell S. Tracey	Police	11/16/04	Patrol Officer
Appointment	Robert N. Courtney, Jr.	Police	11/16/04	Patrol Officer
Promotion	Floyd F. Loman	Sewer	11/16/04	Collection System Maintenance I from
Appointment	Melanie E. Hockensmith	Sewer	11/16/04	Collection System Laborer Collection System Laborer
Appointment/Duty Assignment	Russell Greenwell	Fire	11/16/04	EMS Shift Supervisor From Firefighter/ Paramedic
Appointment/Duty Assignment	Steven Clark	Fire	11/16/04	EMS Shift Supervisor From Firefighter/ Paramedic
Appointment/Duty Assignment	Jeffrey Anglin	Fire	11/16/04	EMS Shift Supervisor From Firefighter/ Paramedic
Appointment	John T. Jennings	Street	11/16/04	Maintenance Worker
Appointment	Joanna L. Sawalich	Telecommunications	11/16/04	Telecommunicator

Item 6.6, Authorization to award contract to Kentucky Uniforms for police uniforms and accessories (Police) was removed from the agenda.

It was moved by Commissioner Layson, seconded by Commissioner Fletcher, that all of the above listed miscellaneous and personnel items be approved. The question was put upon the motion and the roll was called. Those in favor of the motion were Commissioners Layson, Roach, and Fletcher and Mayor pro tem Bowers (4). Those voting no were none (0). Commissioner Roach stated for the record his opposition to the EMS Shift Supervisor positions. The motion was thereupon adopted.

Old Business

It was moved by Commissioner Roach, seconded by Commissioner Fletcher, to continue to engage Architect Design Group, Inc. for design of the Public Safety Building, with design to be presented to the Commission at the January 2005 Work Session, and all direction to ADG, Inc. from the Board be through the City Manager. The question was put upon the motion and the roll was called. Those voting in favor of the motion were Commissioners Roach, Fletcher, and Mayor pro tem Bowers (3). Those voting against the motion were Commissioner Layson (1). The motion was thereupon adopted.

It was moved by Commissioner Roach, seconded by Commissioner Fletcher, to pay Greg Meyer, Meyer Midwest, \$6,857.44 for downtown lighting. Funds are available in Contingency Reserve account #95-53295. The question was put upon the motion and the roll was called. Those voting in favor were Commissioners Roach and Mayor pro tem Bowers (2). Those voting against the motion were Commissioner Layson (1). Those abstaining were Commissioner Fletcher (1). The motion was thereupon adopted.

New Business

It was moved by Commissioner Roach, seconded by Commissioner Fletcher, to execute an Operating Agreement relating to sanitary sewer service for the Choatville Area – Phase I. The question was put upon the motion and the roll was called. Voting in favor of the motion were Commissioners Layson, Roach and Fletcher, and Mayor pro tem Bowers (4). Those voting against the motion were none (0). The motion was thereupon adopted.

It was moved by Commissioner Fletcher, seconded by Commissioner Roach, to award a five-year solid waste disposal contract to BFI Waste Systems, Inc. The question was put upon the motion and the roll was called. Those voting in favor of the motion were Commissioners Layson, Roach, and Fletcher, and Mayor pro tem Bowers (4). Those voting against the motion were none (0). The motion was thereupon adopted.

It was moved by Commissioner Layson, seconded by Commissioner Roach, to waive deed restrictions on 150 Flynn Avenue for the construction of a new office complex. Following discussion, Commissioner Roach withdrew his second. It was moved by Commissioner Layson, seconded by Commissioner Roach to waive deed restrictions on 150 Flynn Avenue with the additional requirement that a berm or additional plantings deemed appropriate by city planning staff be approved the Board of Commissioners. The question was put upon the motion and the roll was called. Those voting in favor of the motion were Commissioners Layson, Roach, and Fletcher, and Mayor pro tem Bowers (4). Those voting against the motion were none (0). The motion was thereupon adopted.

Citizen Comments

Diana Looney commented that the city consider additional steps to notify the public of meetings, including publishing a legal ad and developing an e-mail group list.

Commissioner Comments

Commissioner Fletcher stated that he would like Chief of Police Evans to address Butler Street concerns at the next Commission work session.

Commissioner Layson stated his preference that Agenda Item 3.3 should have been restructured to remove the section relevant to Leonardwood Drive. In that way the budget amendment could have had a second reading instead of the first reading this evening. He stated his disappointment that the Commission voted to pay Meyer Midwest for streetlights when previously the Commission had taken the position not to pay for raising of the streetlights. Regarding the ADG, Inc. contract, he stated he tried to lay out the errors, and did not believe the Commission was holding those who do work with the City to a quality standard. He stated that Thursday, November 18, is the annual downtown Candlelight Tour and invited all Frankfort citizens to participate. He noted the Frankfort Museum is opening that evening as well.

Commissioner Roach stated he respects Commissioner Layson's work and respects his opinion regarding the public safety building contract. However, he thinks ADG, Inc. will provide a quality product.

Mayor pro tem Bowers recognized Commissioners-elect Kathy Carter and Rodney Williams. She thanked all who ran for office and thanked the public for giving her a third term. She reported the Fire Chief had an accident at home.

Commissioner Roach complimented the Commissioners-elect on being present and becoming informed of issues prior to taking office.

It was moved by Commissioner Layson, seconded by Commissioner Roach, that the Board meet in closed session in accordance with KRS 61.870 (1)(f) to discuss personnel. The question was out upon the motion and the roll called. Those voting in favor of the motion were Commissioners Layson, Roach, and Fletcher, and Mayor pro tem Bowers (4). Those voting against the motion were none (0). The motion was thereupon adopted.

Regular meeting resumed at 7:15 p.m. with all members present.

"AN ORDER RELATING TO THE PROBLEM RESOLUTION COMPLAINT OF BEN BOGGS II" was presented and read. It was moved by Commissioner Roach, seconded by Commissioner Layson, that the order be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Layson, Roach and Fletcher and Mayor pro tem Bowers (4). Those voting against the motion were none (0). The motion was thereupon adopted.

There being no objection, meeting adjourned upon motion by Commissioner Roach, seconded by Commissioner Layson.

MAYOR

ATTEST:

CITY CLERK